

### REMARKS

No claim amendments have been proposed in this paper. Claims 1-10 remain in the application as presented in the previous paper. Claim 1 is the only independent claim. Reconsideration and allowance of the case in view of the amendments made to the specification and the following remarks are respectfully requested.

#### Drawings

Reference character 304 was objected to as referring to either a “light source” (e.g., page 11, line 20) or an “electric discharge bulb” (e.g., page 12, line 5). This situation has been corrected by amending the specification in two places, above, to refer to “light source” instead of to “electric discharge bulb.” This objection has therefore been overcome, without the necessity of amending the drawings.

#### Claim Rejections – 35 USC § 102 and 35 USC § 103

Claims 1-4 and 10 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Shibata et al. (U.S. Pat. No. 4,908,560). Claims 5-6 and 7-9 were rejected as allegedly being unpatentable under 35 U.S.C. 103(a) over the same Shibata et al. reference. The rejections are respectfully traversed.

Pending apparatus claim 1 recites, among other things, “a rotation range detection means for detecting a rotation range of the drive motor” and “abnormality judgment means....” Shibata et al. neither discloses nor suggests such a combination, and the pending claims are thus allowable, contrary to the assertions in the office action.

Shibata et al. detects the pulse width  $\Delta W$  as a position shift amount by a position shift detecting circuit 41. But this is merely a calculation of the rotational direction of the lamp and the amount of time needed for the rotation. That is, the rotational direction and the rotational time are calculated based on the positional shift amount  $\Delta W$  detected by the position shift detection means, and then the lamp is rotated (simultaneously, potentiometer 47 operates) to the perceived position. The perceived irradiation direction coincides with the target direction at the

time when the plus width  $\Delta W$  changes and becomes zero by the change of the output of the potentiometer. In other words, the device of Shibata et al. only controls the operation by starting the rotation, continuing the actual rotation and stopping the rotation of the lamp, but it does not detect the rotation range, and therefore does not judge, or have the means to judge, any abnormality of the rotation range.

As mentioned above, Shibata et al. uses a potentiometer for detecting the rotation operation of the lamp, for the purpose of stopping the lamp. The present claims do not call for such an arrangement. In this regard, Shibata et al. is an example of the prior art device described beginning at page 3, line 21, of the instant specification (paragraph [0004]). The device of the claims under examination can assess the abnormality of the actuator without using a potentiometer, as is described more fully in the specification, at page 7, line 19 through page 9, line 23. Shibata et al. neither discloses nor suggests "a rotation range detection means for detecting a rotation range" along with an "abnormality judgment means" as called for in the claims under examination.

Entry of the specification amendments made above is appropriate as overcoming the objections to the drawings. Furthermore, for the reasons given above, claim 1 and dependent claims 2-10 are not anticipated by Shibata et al., nor would they have been obvious to one of ordinary skill in the art over the Shibata et al. reference at the time the claimed invention was made. The claims are urged to be allowable. Issuance of a notice of allowance is proper and is urged.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

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Respectfully submitted,

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